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# Private Acts of 1972 Chapter 347

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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# Private Acts of 1972 Chapter 347

**SECTION 1.** That Chapter 312 of the Private Acts of 1923, and all Acts heretofore passed amendatory thereto, be and hereby amended as provided herein.

**SECTION 2.** Any person, firm, partnership, or corporation desiring to engage in or do any work which requires or necessitates any change, alteration or damage to any of the public roads or highways of the County which are operated and maintained by Montgomery County and its Highway Commission, including the macadam of such roads and highways and the shoulders, ditches, drains, and foundations thereof, and also including the placing of side drains culverts along the sides thereof, shall, before any such work is done, apply for and obtain from the County Road Supervisor, or his duly appointed representative, in the manner and form as may be required by the County Road Supervisor, a permit granting such person, firm, partnership, or corporation, the right and privilege to perform such work. The County Road Supervisor may require the applicant to show the location, nature and extent of the work to be performed.

**SECTION 3.** The County Road Supervisor of Montgomery County shall have authority to require any such person, firm, partnership, or corporation applying for such permit to enter into a reasonable and proper bond, approved by the Supervisor, in such amount as the Supervisor may consider sufficient and proper, conditioned to insure that any damage occasioned to such public roads and highways by such work will be required and the said roads and highways restored to as good condition as they are in before such work is done.

**SECTION 4.** No person, firm, partnership or corporation shall do any work upon, under, across, along, or beside any of said public roads or highways of the County which will result in any change, alteration or damage thereto, without securing a permit and executing a bond, if required, as herein provided. Any person, firm, partnership, or corporation violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$10.00 nor more than \$50.00 for each violation. Each day such permit is not obtained and such bond, if required, is not executed, after such work is begun shall constitute a separate offense and violation.

**SECTION 5.** The County Road Supervisor shall have the authority to designate the maximum tonnage or weight of automobiles, trucks, and other vehicles that are permitted to travel over and upon such public roads, highways, and bridges which are maintained by the Montgomery County Highway Commission and Montgomery County; and in case of a violation of the regulations prescribed in such instances, the person, firm, partnership, or corporation violating the same shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$10.00 nor more than \$50.00 for each violation.

**SECTION 6.** This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly Court of Montgomery County at or before the next regular meeting of the Court occurring more than thirty (30) days after its passage. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 7.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 8.** This Act shall take effect from and after its passage and approval, the public welfare requiring it.

Passed: March 29, 1972.

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